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**Federal Communications Commission**

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

Globe Wireless  
Licensee of Radio Station KPH  
Rio Vista, California

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File No. EB-11-SF-0053

NOV No. V201132960014

**NOTICE OF VIOLATION**

**Released: September 29, 2011**

By the District Director, San Francisco Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Globe Wireless, licensee of radio station KPH in Rio Vista, California.

2. On April 6, 2011, agents of the Enforcement Bureau's San Francisco Office monitored radio station KPH located at 6762 Flannery Rd., Rio Vista, California and on April 12, 2011 the agents inspected KPH. The agents observed the following violations:

- a. 47 C.F.R. § 80.89(a): "Stations must not: Engage in superfluous radiocommunication." Agents observed spurious emissions on several frequencies including (but not limited to) 12911 kHz, 12978 kHz, 13067 kHz, 13251 kHz, 13340 kHz, and 13408 kHz. These spurious emissions were related to the KPH transmitter operating on 13159.4 kHz.
- b. 47 C.F.R. § 80.89(f): "Stations must not: Transmit on frequencies or frequency bands not authorized on the current station license." A transmitter operating on the frequency 17211.4 kHz was operating at the Rio Vista, California location. This transmitter is not authorized at that location. Globe Wireless is licensed for 17211.4 kHz under the call sign KFS for Palo Alto, California.
- c. 47 C.F.R. § 80.209(a)(3)(i): "The frequency tolerance requirements applicable to transmitters in the maritime services are shown in the following table. Tolerances are given as parts in 10<sup>6</sup> unless shown in Hz." The KPH transmitter authorized for 19730.5 kHz was operating on 19730.558 kHz. This is 58 Hz from the authorized frequency which exceeds the tolerances listed in the following table.

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<sup>1</sup> 47 C.F.R. § 1.89.

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<b>Frequency bands and categories of stations</b>	<b>Tolerances<sup>1</sup></b>
(3) Band 4000–27500 kHz:	
(i) Coast stations and Alaska fixed stations:	
For single sideband and facsimile emissions	20 Hz.
For narrow-band direct printing and data emissions	10 Hz. <sup>2</sup>
For digital selective calling emissions	10 Hz.
For Morse telegraphy emissions	10.
For all other emissions	15 Hz.

<sup>1</sup>Transmitters authorized prior to January 2, 1990, with frequency tolerances equal to or better than those required after this date will continue to be authorized in the maritime services provided they retain approval and comply with the applicable standards in this part.

<sup>2</sup>The frequency tolerance for narrow-band direct printing and data transmitters installed before January 2, 1992, is 15 Hz for coast stations and 20 Hz for ship stations. The frequency tolerance for narrow-band direct printing and data transmitters approved or installed after January 1, 1992, is 10 Hz.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Globe Wireless, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Globe Wireless. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
San Francisco Office  
5653 Stoneridge Drive, Suite 105  
Pleasanton, California 94588-8543

4. This Notice shall be sent to Globe Wireless at its address of record.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine

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<sup>2</sup> 47 U.S.C. § 308(b).

<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

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what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Thomas N. Van Stavern  
District Director  
San Francisco District Office  
Western Region  
Enforcement Bureau

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<sup>4</sup> 18 U.S.C. § 1001 *et seq.*